

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Johnny Wayne Hayes

Docket No. 5:06-CR-305-1F

Petition for Action on Supervised Release

COMES NOW Billy W. Boggs, Jr., probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Johnny Wayne Hayes, who, upon an earlier plea of guilty to Felon in Possession of a Firearm, was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on July 3, 2007, to the custody of the Bureau of Prisons for a term of 64 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
3. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

Johnny Wayne Hayes was released from custody on February 16, 2012, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On July 31, 2000, the defendant pled guilty to Indecent Liberties with a Child (2 counts) in Wake County Superior Court, Raleigh, N.C. The defendant took indecent liberties with a child that was between the age of 2 and 3, for the purpose of arousing and gratifying sexual desire. The probation officer recommends that the defendant receive mental health/sex offender treatment, evaluation testing, clinical polygraphs, and other assessment instruments as directed by the probation officer. On April 10, 2012, the defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

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PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in mental health/sex offender treatment, evaluation testing, clinical polygraphs and other assessment instruments as directed by the probation officer. While under supervision in the Eastern District of North Carolina, the defendant shall further abide by the rules and regulations of the NCE Sex Offender Program.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/Billy W. Boggs, Jr.
Billy W. Boggs, Jr.
Senior U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: (919) 861-8660
Executed On: April 11, 2012

ORDER OF COURT

Considered and ordered this 12th day of April, 2012, and ordered filed and made a part of the records in the above case.

James C. Fox
James C. Fox
Senior U.S. District Judge